

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

WARNER BROS. RECORDS INC., a Delaware corporation; **CAPITOL RECORDS, INC.**, a Delaware corporation; **PRIORITY RECORDS LLC**, a California limited liability company; **UMG RECORDINGS, INC.**, a Delaware corporation; **SONY BMG MUSIC ENTERTAINMENT**, a Delaware general partnership; and **BMG MUSIC**, a New York general partnership,

Case No.: 0:07-cv-01411-MJD-AJB

JUDGE: Michael J. Davis

MAGISTRATE: Arthur J. Boylan

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Plaintiffs,

vs.

ELAINE HAGAN (a.k.a. Elaine A Loescher),

Defendant.

Based upon Plaintiffs' Motion For Default Judgment By The Court, and good cause appearing therefore, **IT IS HEREBY ADJUDGED AND ORDERED THAT:**

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the ten sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to

the Complaint, in the total principal sum of Seven Thousand Five Hundred Dollars (\$7,500.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Scar Tissue," on album "Californication," by artist "Red Hot Chili Peppers" (SR# 174-922);
- "Where The Blacktop Ends," on album "Keith Urban," by artist "Keith Urban" (SR# 273-265);
- "U Can't Touch This," on album "Please Hammer Don't Hurt 'Em," by artist "MC Hammer" (SR# 133-683);
- "Gangsta Gangsta," on album "Straight Outta Compton," by artist "NWA" (SR# 150-531);
- "Party Up," on album "...And Then There Was X," by artist "DMX" (SR# 279-017);
- "Awake," on album "Awake," by artist "Godsmack" (SR# 293-376);
- "Batter Up," on album "Country Grammar," by artist "Nelly" (SR# 281-782);
- "Shoots And Ladders," on album "Korn," by artist "Korn" (SR# 201-939);
- "How Forever Feels," on album "Everywhere We Go," by artist "Kenny Chesney" (SR# 263-302);

- "My Own Worst Enemy," on album "A Place in the Sun," by artist "Lit" (SR# 264-272);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: October 11, 2007

s / Michael J. Davis

Hon. Michael J. Davis

United States District Judge